

ERC Project Human Sea

The development of human activities at sea - What legal framework? "For a new Maritime Law"



Circular n°2

Maritime spaces : surveillance and prevention of illegal traffics at sea.

CALL FOR PAPERS

The 5-year project HUMAN SEA (ERC-2013-AdG 340770) intends to address issues linked to the development of human activities at sea, which have progressively led to a transformation of the Law of the Sea and maritime Law. Nowadays, these new activities remain poorly regulated.

The HUMAN SEA project, directed by Patrick Chaumette, director of the Maritime and Oceanic Law Centre (France), focuses on rebuilding the concepts born from the History of maritime activities and of navigation. It brings up questions about State intervention at sea, in its territorial sea or on the high seas. The compromises found in 1982, now embedded in the Montego Bay Convention, will also be questioned in the light of the development of new threats and techniques.

www.humansea.univ-nantes.fr

The second Work-package of the european Program Human Sea involves the set-up of an international symposium in Fall 2015, followed by the publication of a reference book dealing with illegal activities at sea, their prevention and the surveillance of maritime spaces. Illegal activities at sea are numerous : piracy and robbery, trafficking in human beings, clandestine immigration, drug trafficking, illegal fishing... The 1982 Convention on the Law of the Sea provides for State intervention, that effectively results in the introduction of cooperation mechanisms. The technical evolution of maritime surveillance questions historical interstate practices that are nowadays transformed by the arrival of new private actors.

The fight against piracy has been developed under the United Nations Security Council resolutions and led to an implementation force to counter the piracy off the Horn of Africa. Under the influence of the International Maritime Organisation, the Djibouti and the Yaoundé Codes of Conduct have been adopted, through two regional approaches of interstate cooperation.

Clandestine immigration via the sea and human beings trafficking clearly show political issues and quickly led to legally binding conventions : the 1951 Geneva Convention on Refugees, the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the 1951 Convention on the Suppression of Traffic in Persons and of the Exploitation of the Prostitution of Others and

its Final Protocol, the United Nations Convention against transnational organized crime (entered in force in 2003). Maritime operational cooperations with a view to developing adequate surveillance capacities at the sea borders, as for example the EU Frontex Agency, respect and contribute to the observance of these conventions.

The Food and Agriculture Organization adopted in 2001 an international plan of action to prevent, deter and eliminate illegal, unreported and unregulated fishing. Later in 2009 was adopted the FAO Agreement on Port State Measures, which is nationally and regionally implemented. The Council of Ministers of the European Union thus decided on 24 March 2014 bans on fisheries imports from Cambodia, Belize and Guinea, accusing them of failing to curb illegal fishing.

As technical means evolve, maritime monitored area extend. It is permissible to believe in an improvement of maritime security and safety on the high seas, beyond the historical range of canons. For example, maritime surveillance intends to protect the environment in distant areas, such as high-seas Marine Protected Areas, monitored by satellite.

DETAILS

A 2 days international symposium will be held on September 2015. Some contributions might be openly available. On the basis of the symposium, a reference book will be published in English ; each contribution should preferably be submitted in French or in English.

The proposals (2 pages) should be accompanied by a list of recent publications of the author(s), linked to the themes of the book. Please send your abstract **before October 30, 2014**, to humanseas@univ-nantes.fr

The scientific Board will answer not later than December 20, 2014.

Final paper must be submitted before September 15, 2015 (max. 30 000 signs) and could be enriched after the symposium, before the end of October 2015. The publication of the book is scheduled for Spring 2016.

Scientific Board

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